

Eugene P. Ramirez (State Bar No. 134865)
eugene.ramirez@manningkass.com
Kayleigh Andersen (State Bar No. 306442)
kayleigh.andersen@manningkass.com
MANNING & KASS
ELLROD, RAMIREZ, TRESTER LLP
801 S. Figueroa St, 15th Floor
Los Angeles, California 90017-3012
Telephone: (213) 624-6900
Facsimile: (213) 624-6999

Attorneys for Defendants, COUNTY OF
SAN BERNARDINO and DEPUTY
CHRISTOPHER ALFRED

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION

STEFFON BARBER, an individual,

Plaintiff,

v.

COUNTY OF SAN BERNARDINO, a
municipal entity, and DOES 1 through
10, inclusive,

Defendant.

Case No. 5:22-cv-00625-KK-DTBx

*[District Judge, Kenly Kiya Kato,
Magistrate Judge, David T. Bristow]*

[MOTION IN LIMINE NO. 4]

**[PROPOSED] ORDER GRANTING
NOTICE OF MOTION AND
MOTION IN LIMINE BY
DEFENDANTS TO EXCLUDE
PLAINTIFF'S EXPERT BENET
OMALU [DAUBERT MOTION]**

Judge: Hon. Kenly Kiva Kato
Date: 1/8/2026
Time: 10:30 a.m.
Crtrm.: 3, 3rd Floor

Trial Date: 1/26/26

After due consideration of all relevant pleadings, papers and records in this
action; and upon such other oral and document evidence or argument as was
presented to the Court; and Good Cause appearing therefor, and in furtherance of the
interests of justice,

IT IS HEREBY ORDERED that plaintiff, plaintiff's attorneys, and plaintiff's
witnesses – including experts – shall not, in the presence of the jury, testify, offer, or

1 in any way refer to opinions and testimony of plaintiff's expert, Dr. Bennet Omalu, at
2 trial regarding:

3 1. Any testimony or opinions by the expert that are based on
4 cumulative/duplicative, speculative, and/or lack foundation; and

5 2. Any testimony or opinions beyond the expert's scope of expertise,
6 including all opinions and testimony regarding mental/emotional injuries, bullet
7 trajectory, kinetic energy, and forensic incident reconstruction as to the body
8 positioning/movement of Plaintiff on scene.

9 IT IS SO ORDERED.

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11 Dated: _____

12 Hon. Kenly Kiya Kato
13 UNITED STATES DISTRICT JUDGE
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